



2026:AHC:142875

HIGH COURT OF JUDICATURE AT ALLAHABAD

MATTERS UNDER ARTICLE 227 No. - 7436 of 2026

Murti Markandeshwar Ji Maharaj Gopal Ki Bagiya
City Jhansi

.....Petitioner(s)

Versus

Smt. Jyoti Gangwani And Another

.....Respondent(s)

Counsel for Petitioner(s)	: Rajendra Prasad Tiwari, Vinay Kumar Tiwari, Vineet Tiwari
Counsel for Respondent(s)	: Rishabh Agarwal

AFR

Court No. - 35

HON'BLE DR. YOGENDRA KUMAR SRIVASTAVA, J.

1. Heard Sri Rajendra Prasad Tiwari, learned counsel for the petitioner and Sri Atul Dayal, learned Senior Counsel appearing along with Sri Rishabh Agarwal, learned counsel for the respondent.
2. By means of the present petition, the petitioner seeks to assail the order dated 13.03.2026 passed by the Rent Tribunal in Rent Appeal No. 05 of 2026 (Smt. Jyoti Gangwani vs. Vinod Rawat & another), whereby the appellate authority has allowed the appeal preferred by the respondent-landlord and has set aside the order dated 14.08.2025 passed by the Rent Authority in Rent Case No. 110 of 2024, whereby the application moved by the present petitioner under Order I Rule 10 of the Code of Civil Procedure seeking impleadment had been allowed.
3. A perusal of the impugned order indicates that the Rent Tribunal has held that the proceedings instituted by the respondent-landlord under Section 21(2) of the U.P. Regulation of Urban Premises Tenancy Act, 2021 are confined to adjudication of the landlord-tenant dispute arising between the parties to the tenancy and are limited to consideration of the grounds pleaded in support of the prayer for eviction. The Tribunal has further recorded that the petitioner, claiming to be a third party, sought impleadment solely for the purpose of disputing the title and ownership of the respondent-landlord over the premises in question. Such a dispute, according to the Tribunal, falls wholly outside the scope of the proceedings contemplated under the Act of 2021 and cannot be permitted to be introduced in proceedings which are intended to determine only the

rights and obligations arising out of the relationship of landlord and tenant. On the aforesaid reasoning, the Tribunal has concluded that the petitioner is neither a necessary nor a proper party to the rent proceedings and, consequently, the order of the Rent Authority permitting impleadment was liable to be set aside.

4. When the matter was taken up, learned counsel appearing for the petitioner was unable to dispute the settled legal position that proceedings under Section 21(2)(b) of the Act of 2021 do not contemplate adjudication upon complicated questions relating to title or ownership of the premises and that any rival claim to ownership has to be agitated before the competent forum in appropriately instituted proceedings. It has also not been disputed that a third party claiming an independent right adverse to the landlord cannot insist upon being impleaded in eviction proceedings merely to canvass questions of title, which are wholly foreign to the limited scope of such proceedings.

5. In view of the aforesaid position, learned counsel for the petitioner fairly does not dispute that the impugned order does not suffer from any patent jurisdictional error, manifest illegality, or perversity warranting exercise of the supervisory jurisdiction of this Court under Article 227 of the Constitution of India.

6. The aforesaid submission is in accord with the settled legal position. The statutory scheme of the U.P. Regulation of Urban Premises Tenancy Act, 2021 makes it evident that proceedings under Section 21 thereof are confined to adjudication of disputes arising out of the jural relationship of landlord and tenant. Questions relating to title or ownership of the premises cannot be permitted to be raised through an application for impleadment under Order I Rule 10 of the Code of Civil Procedure, as adjudication thereof lies beyond the statutory jurisdiction of the Rent Authority.

7. A person claiming an independent right or title adverse to the landlord cannot, by seeking impleadment, enlarge the scope of eviction proceedings or invite the Rent Authority to adjudicate disputes relating to ownership. Such disputes are required to be agitated before the competent civil court in appropriately instituted proceedings. Consequently, a third party asserting an independent title neither qualifies as a necessary party nor as a proper party to proceedings instituted under Section 21 of the Act. Any contrary view would have the effect of converting the summary remedy provided under the Act into a forum for adjudication of complex

civil disputes relating to title, a course neither contemplated by nor permissible under the statutory scheme of the Act.

8. Applying the aforesaid principle to the facts of the present case, this Court finds no infirmity in the view taken by the Rent Tribunal. The Tribunal has correctly appreciated the nature and scope of the proceedings under the Act of 2021 and has rightly held that the petitioner's claim, being founded upon an alleged independent title, falls outside the ambit of adjudication in proceedings under Section 21 of the Act. The order impugned neither travels beyond the statutory framework governing such proceedings nor suffers from any jurisdictional error, patent illegality, or perversity so as to warrant interference by this Court in exercise of its supervisory jurisdiction under Article 227 of the Constitution of India.

9. It is well settled that proceedings under the U.P. Regulation of Urban Premises Tenancy Act, 2021 are intended to provide an expeditious and efficacious remedy for adjudication of disputes arising out of the jural relationship of landlord and tenant. The Rent Authority exercises a limited statutory jurisdiction and is not expected to embark upon adjudication of complicated questions of title between the landlord and a stranger to the tenancy. A person asserting an independent proprietary right over the premises has an efficacious remedy before the competent civil forum, and the pendency of such a claim cannot enlarge the scope of proceedings instituted under Section 21 of the Act by permitting such person to intervene therein.

10. Equally, the supervisory jurisdiction of this Court under Article 227 of the Constitution is confined to ensuring that the subordinate courts and tribunals act within the bounds of their jurisdiction. Unless the impugned order is shown to suffer from patent lack of jurisdiction, manifest perversity, or an error apparent resulting in grave miscarriage of justice, interference is not warranted merely because another view may also be possible. No such infirmity has been demonstrated in the present case.

11. The petition, being devoid of merit, is accordingly **dismissed**.

(Dr. Yogendra Kumar Srivastava,J.)

July 15, 2026
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